

DECISION**THE COMPTROLLER GENERAL
OF THE UNITED STATES**

WASHINGTON, D. C. 20548

Graham
24-77**FILE:** B-208727**DATE:** January 20, 1983**MATTER OF:** Walter Wait - Entitlement to Lodging
Expenses**DIGEST:**

An employee claims reimbursement for lodging expenses incurred on the evening prior to the day he began temporary duty. He is entitled to reimbursement even though he did not perform official duty on that day. He had been issued a General Travel Authorization permitting him to travel without specific prior authorization. He took annual leave on Friday for personal travel and traveled to his temporary duty site on Sunday rather than returning to his official duty station and proceeding to his temporary duty site on Monday. Since he began work Monday morning the lodgings expenses on Sunday are incident to official duty under the circumstances of the travel.

Mr. Rudie Maez, an authorized certifying officer with the National Park Service, Southwest Region, requests an advance decision concerning the claim of Dr. Walter Wait for reimbursement of a lodging expense he incurred on the evening prior to the day he began a temporary duty assignment. The issue presented is whether the circumstances of Dr. Wait's travel are such that he may be reimbursed even though he did not perform official duty during the day on which he arrived at his temporary duty site. We hold that he is entitled to be reimbursed.

Dr. Wait, an archeologist with the National Park Service in Santa Fe, New Mexico, was scheduled to be on temporary duty at the Hopi Reservation in Arizona from July 26 to July 29, 1982, accompanied by 2 other employees. A Request for Travel Authorization, signed by one of the employees, indicates that all 3 planned to travel to the Hopi Reservation on Monday, July 26 and planned to return on Thursday, July 29. Instead of accompanying the 2 other employees, Dr. Wait, who had been issued a Limited General Travel Authorization allowing him to travel within the Southwest Region without prior authorization, took annual leave on

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Friday, July 23 and left by private vehicle for the Hopi Reservation. At some time while he was en route - we have not been informed of the exact time - Dr. Wait stopped at Chavez Pass, Arizona to lecture to an archeological field school about National Park Service activities. On Sunday, July 25, Dr. Wait drove to the Hopi Mesa and his wife, who had been traveling with him, returned to Santa Fe.

Dr. Wait stayed at the Hopi Cultural Center on Sunday evening. Upon his return to Santa Fe he was informed that his request for reimbursement for that night's lodgings could not be allowed because he had not gone to the Reservation on official business. The certifying officer has attached a memo from Dr. Wait's supervisor, in which the supervisor states that Dr. Wait should be reimbursed because his actions were in the best interest of the Service. His supervisor states that Dr. Wait began work at 8:00 A.M. on Monday with a volunteer Hopi crew and continued to work while his colleagues were traveling to the site. He says Dr. Wait made the determination to stay at the Hopi Reservation on Sunday night so that archeological work underway at the time could be finished during the July 26 workweek. Finally, Dr. Wait's supervisor states that since his work made that possible, his actions obviated the need for a second costly trip to complete that phase of the work.

The general rules governing reimbursement of civilian employees for travel and subsistence expenses are set forth in Chapter 1 of the Federal Travel Regulations, FPMR 101-7 (September 1981)(FTR). FTR paragraph 1-1.3a provides that an employee traveling on official business is expected to exercise the same care in incurring expenses that a prudent person would exercise if travel on personal business. FTR paragraph 1-1.3b provides that travel expenses which will be reimbursed are confined to those essential to the transaction of official business.

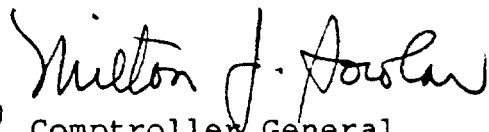
Due to Dr. Wait's possession of a General Travel Authorization he was not issued orders directing him to travel at a specific time but, as we understand it, had a certain amount of discretion to determine his own travel plans. For that reason, we believe his entitlement to reimbursement turns on whether that travel was in conformity with the general rules mentioned above.

It appears that Dr. Wait's lodging expenses for Sunday night were incurred in connection with official business since his plan was to begin work on Monday morning. Indeed,

to use the language of FTR paragraph 1-1.3b, in order for Dr. Wait to begin work at 8:00 A.M. on Monday it was "essential" for him to obtain lodgings on Sunday night since the drive from Santa Fe to the Hopi Reservation required 7 to 8 hours of travel.

Dr. Wait's decision to stay at the Hopi Reservation on Sunday night and begin work on Monday morning, also appears to satisfy the requirements of FTR paragraph 1-1.3a for it seems to have been both reasonable and prudent - he was already in Arizona on personal travel and, according to his supervisor, the head start he made on the work was of benefit to the Service.

As we have previously stated, we conclude that Dr. Wait's actions were reasonable and prudent, and that the expenses he incurred were incident to official duty. Therefore, Dr. Wait is entitled to reimbursement for his lodging expenses on Sunday night in accordance with the applicable provisions of the Federal Travel Regulations.

for 
Comptroller General
of the United States